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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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PTOL-90A (Rev. 04/07)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>06 March 2009</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-5 and 26-55* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-5 and 26-55* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   Claims 6-25 have been cancelled.

2.   New claims 26-55 have been added.

3.   Claims 1-5 and 26-55 have been examined.

Response to Arguments

4.   Applicant's arguments with respect to claims 1-5 and 26-29 have been considered but are not

persuasive.

Argument:

"Othmer does not disclose the server allowing a plurality of users access the server."

(Remark, page 14).

Response:

Examiner respectfully disagrees with the above argument. Contrary to the above argument,

Othmer clearly teaches allowing a plurality of users access the server (see at least col.5:40-55 "...URL

application was displaying..." and col.6:40-50 "… for the users of server, such as a software

developer, to be able to know how many 'root' problems/bugs/erro4rs… users like to know how

many…", col.12:10-20 "… developer would often perform is to look at list of individual incidents…

clicking on the bar or by performing a new search …"). Furthermore, FIG._1 clearly shows

different user (e.g. Computer 1…Computer N) accessing the Classify and Categorize SERVER 32.

Thus, it is respectfully submitted that the argument is not persuasive and accordingly the rejection

has been maintained as set forth in the Office Action.

5.   Applicant's arguments with respect to new claims 26-55 have been considered but are moot

in view of the new ground(s) of rejection. See Perla et al. (US 2002/0087915 A1), new art made of

record.

Argument:

"Othmer's disclosure of assigning incidents to various engineers does not disclose ' a login

credential panel, where entry of credentials allows access to aggregated application issue data' as

recited in claim 30, 48, 51 etc." (Remark, pages 14-16).

Response:

With respect to the above argument, examiner would like to indicate that even though

Othmer does not explicitly disclose the above aspect of the claimed invention. However, Perla does

(see rejection below).

Specification

6.   The specification is objected to as failing to provide proper antecedent basis for the claimed

subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is

required: The specification is devoid of terms such as "apparatus" as recited in claims 51-54. The

specification is inconsistent with terms recited in claims 51-54. The specification should be written

in "full, clear, concise, and exact terms".

Claim Rejections - 35 USC § 101

7.   35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or

composition of matter, or any new and useful improvement thereof, may obtain a patent

therefor, subject to the conditions and requirements of this title.

8.   Claims 1-5 and 26-29 are rejected under 35 U.S.C 101 because the claimed invention is

directed to non-statutory subject matter.

Claim 1 is directed to a portal server. However, as recited, the portal server is reasonably

interpreted as entirely software, which amounts to descriptive material per se. The portal server is

not supported by hardware such as tangible computer storage or execution engine, which would

enable one skill in the art to construe that the portal server, is built from tangible product to carry

out any functionality being conveyed from the claim. Thus, the portal server is software *per se* and

therefore is not being tangibly embodied in a manner as to be executable. See MPEP § 2106.01.

Claims 2-5 and 26-29 are rejected for also failing to provide a hardware-based or tangible

embodiment that would support the functionality of the recited elements of the base claim 1.

Claim Rejections - 35 USC § 102

9.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

10.   Claims 1-5 and 26-29 are rejected under 35 U.S.C. 102(b) as being anticipated by Othmer et

al. (US 6,266,788 B1), hereinafter Othmer.

Per claim 1 (Currently amended), Othmer discloses a portal server ~~for a network of~~

~~computing devices for aggregating application issue data from a quality of independent software~~

~~vendors (ISVs), the portal being accessible by one or more application developers of the ISVs via a~~

~~network computing device, the portal server~~ comprising:

a data interface for accessing a quality of application issue data sources for obtaining

application issue data regarding one or more applications associated with <u>a plurality of</u> ~~each of the~~

~~ISVs~~ <u>independent software vendors (ISVs)</u> (see at least col.5:40-55 "...URL application was

displaying..." and col.6:40-50 "... for the users of server, such as a software developer, to be able to

know how many 'root' problems/bugs/erro4rs... users like to know how many...", col.12:10-20

"... developer would often perform is to look at list of individual incidents... clicking on the bar or

by performing a new search ..."), ~~the application issue data including blocking issue data, quality~~

~~issue data, and compatibility fix issue data~~ <u>where the data interface is configured to allow an ISV</u>

<u>access to at least one aggregated application issue data associated with one or more of the ISV's</u>

<u>applications</u> (see at least col.5:40-55 "...URL application was displaying..." and col.6:40-50 "... for

the users of server, such as a software developer, to be able to know how many 'root'

problems/bugs/erro4rs... users like to know how many...", col.12:10-20 "... developer would

often perform is to look at list of individual incidents... clicking on the bar or by performing a new

search ..."<u>); and</u>

~~a network interface accessible by each of the one or more application; and~~

an aggregation module for aggregating the application <u>issue</u> data by application (e.g. see at

least FIG._2, steps 174-176 and FIG._4, step 208 and related text) and for presenting to each of

the one or more application developers via the network interface a customizable user interface that

presents the aggregated application issue data regarding only the one or more applications

associated with that application developer (see at least col.5:40-55 "...URL application was

displaying..." and col.6:40-50 "... for the users of server, such as a software developer, to be able to

know how many 'root' problems/bugs/erro4rs… users like to know how many…", col.12:10-20

"… developer would often perform is to look at list of individual incidents… clicking on the bar or

by performing a new search …") and ~~omitting~~ omits application issue data for applications not

associated with that ISV (see at least col.11:35-55 "… incidents are broken down based on function

names… parameter… unique key… grouped together …", col.12:30-40 and e.g. FIG._5, Number

of incidents and related text e.g. FIG._4, step 208), ~~the presentation including the names of the~~

~~applications associated with the ISV, a number of blocking issue data items associated with each~~

~~application, a number of quality issue data items associated with each application, an a number of~~

~~compatibility fix issue data items associated with each application, wherein :~~

~~each application name is a hyperlink to an issue list comprising application issue data for the~~

~~corresponding application,~~

~~each number of the blocking issue data items is a hyperlink to an issue list comprising~~

~~blocking issue data for the corresponding application,~~

~~each number of the quality issue data items is a hyperlink to an issue list comprising quality~~

~~issue data for the corresponding application, and~~

~~each number of the compatibility fix issue data items is a hyperlink to an issue list~~

~~comprising compatibility fix issue data for the corresponding application.~~

Per claim 2 (Currently amended), Othmer discloses the portal server according to claim 1,

wherein the aggregation module is further operable to prioritize the application issue data according

to at least one criterion at the request of an application developer (see at least col.6:6:55-65 "…

frequency counter… development team to focus..." and e.g. FIG._3, steps 182, 186 and 192-194 and

related text).

Per claim 3, Othmer discloses the portal server according to claim 2, wherein the at least one criterion includes one or more criteria selected from the group consisting of issue id, application name, application version, issue type, issue priority, operating system, and number of issue reports per issue (see at least col.12:25-40 and e.g. FIG._5 and related text).

Per claim 4, Othmer discloses the portal server according to claim 1, wherein the quality of application issue data sources comprise a database of logo certification test results performed on at least one application by a party other than the application developer and a database of user-reported computer crash data (see at least col.13:20-40 and e.g. FIG._5 and related text).

Per claim 5, Othmer discloses the portal server according to claim 4, wherein the quality of application issue data sources further comprise an additional database of application experience test data (see at least col. 10: 1-10 correlated results are made available…").

Per claim 26 (New), Othmer discloses the portal server according to Claim 1, wherein the application issue data further comprises blocking issue data, quality issue data, and compatibility fix issue data (see at least col.11:35-55 "… incidents are broken down based on function names… parameter… unique key… grouped together …" and e.g. FIG._5, Number of incidents and related text).

Per claim 27 (New), Othmer discloses the portal server according to Claim 1 further comprising a network interface accessible by each of the one or more application developers (see at least col.5:40-55 "...URL application was displaying...").

Per claim 28 (New), Othmer discloses the portal server according to Claim 1, wherein the

customizable user interface further comprises a presentation including the names of the applications

associated with the ISV, a number of blocking issue data items associated with each application, a

number of quality issue data items associated with each application, and a number of compatibility

fix issue data items associated with each application (see at least col.11:35-55 "… incidents are

broken down based on function names… parameter… unique key… grouped together …" and e.g.

FIG._5, Number of incidents and related text).

Per claim 29 (New), Othmer discloses the portal server according to Claim 28, wherein each

application name is a hyperlink to an issue list comprising application issue data for the

corresponding application, each number of the blocking issue data items is a hyperlink to an issue

list comprising blocking issue data for the corresponding application (see at least col.5:40-55 "...URL

application was displaying..." and col.10:40-50 "… access the same URL and perform … problem is

reproducible…"), each number of the quality issue data items is a hyperlink to an issue list

comprising quality issue data for the corresponding application (see at least col.1:60-67 - col.2:1-10

"… links between pieces of data that contain information about the same event…" and col.5:40-55

"...URL application was displaying..."), and each number of the compatibility fix issue data items is a

hyperlink to an issue list comprising compatibility fix issue data for the corresponding application

(see at least col.1:60-67 - col.2:1-10 "… links between pieces of data that contain information about

the same event…" and col.5:40-55 "...URL application was displaying...").

Claim Rejections - 35 USC § 103

11.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness

rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

12.   Claims 30-55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Othmer et al.

(US 6,266,788 B1) in view of Perla et al. (US 2002/0087915 A1).

Per claim 30 (New), Othmer discloses a user interface (col.5:15-25 "… displaying out of the

data set....") comprising:

at least one processor communicatively coupled to the user interface for carrying out

computer executable instructions in connection with user interface processes (see at least e.g.

FIG._1 and related text);

a search pane for user entry of at least one search term, whereby entry of at least one

search term coupled with a run command will cause a search to be executed of aggregated

application issue data (see at least col.12:15-20 "… new search on the database listing only those

incidents that have the target key value…"); and

a task pane for user selection of a format for display of application issue data (see at least e.g.

FIG._5 and related text); and a content pane for display of application issue data (see at least

col.8:45-55, col.12:10-20 and col.12:65-67).

Othmer substantially disclosed the invention as claimed. However, Othmer was silent

regarding a login credentials pane, where entry of credentials allows access to aggregated

application issue data. Nevertheless, as evidenced by the teaching of Perla, it was known to use a

login credentials pane to authenticate user to allow accessing application issue data (see at least

paragraph [0068]). Therefore, it would have been obvious to one skilled in the art at the time the

invention was made to use a login credentials pane to authenticate user in order to securely access

the application issue data from the data server as once suggested by Perla (paragraph [0072]).

Per claim 31 (New), Othmer discloses the user interface according to Claim 30, wherein the

user is an application developer of one or more applications, and the application issue data available

to the user in the content pane relates to those one or more applications and omits data related to

applications other than the one or more applications (see at least col.11:35-55 "… incidents are

broken down based on function names… parameter… unique key… grouped together …",

col.12:30-40 and e.g. FIG._5, Number of incidents and related text e.g. FIG._4, step 208).

Per claim 32 (New), Othmer discloses the user interface according to Claim 31, wherein the

task pane contains a listing of available formats (see at least e.g. FIG._5 and related text).

Per claim 33 (New), Othmer discloses the user interface according to Claim 32, wherein the

listing of available formats comprises a summary format (see at least col.8:45-55, col.12:10-20 and

col.12:65-67).

Per claim 34 (New), Othmer discloses the user interface according to Claim 33, wherein each

application issue has associated therewith number of reports of that issue, and wherein the summary

format comprises a graphical illustration of the number of reports associated with each of a subset

of application issues, each application issue in the subset having associated therewith more reports

than any of the remaining issues not in the subset (see at least e.g. FIG._5 and related text).

Per claim 35 (New), Othmer discloses the user interface according to Claim 32, wherein the

listing of available formats comprises a format wherein each of the one or more applications is listed

and is visually associated with information regarding application issues for that application (see at least col.11:35-55 "… incidents are broken down based on function names… parameter… unique key… grouped together …", col.12:30-40 and e.g. FIG._5, Number of incidents and related text e.g. FIG._4, step 208).

Per claim 36 (New), Othmer discloses the user interface according to Claim 35, wherein the information visually associated with each of the one or more applications comprises an indication of the total number of issues associated with that application (see at least e.g. FIG._5 and related text).

Per claim 37 (New), Othmer discloses the user interface according to Claim 36, wherein the applications issues each have one of a plurality of types, and wherein the information visually associated with each of the one or more applications comprises an indication of the number of issues of each type associated with that application (see at least e.g. FIG._5 and related text).

Per claim 38 (New), Othmer discloses the user interface according to Claim 35, wherein the information visually associated with each of the one or more applications comprises an indication of the total number of issues associated with that application when used in conjunction with an indicated operating system.

Per claim 39 (New), Othmer discloses the user interface according to Claim 32, wherein the listing of available formats comprises a format wherein all application issues associated with the one or more applications are presented (see at least col.5:40-55 "...URL application was displaying..." and col.6:40-50 "… for the users of server, such as a software developer, to be able to know how many 'root' problems/bugs/erro4rs… users like to know how many…", col.12:10-20 "… developer

would often perform is to look at list of individual incidents… clicking on the bar or by performing a new search …").

Per claim 40 (New), Othmer discloses the user interface according to Claim 39, wherein each application issue has an identifier, and wherein within the format wherein all application issues associated with the one or more applications are presented, the application issues are grouped by application issue identifier (see at least col.5:40-55 "...URL application was displaying..." and col.6:40-50 "… for the users of server, such as a software developer, to be able to know how many 'root' problems/bugs/erro4rs… users like to know how many…", col.12:10-20 "… developer would often perform is to look at list of individual incidents… clicking on the bar or by performing a new search …").

Per claim 41 (New), Othmer discloses the user interface according to Claim 30, wherein the search pane comprises selectable search filters col.12:10-20 "… developer would often perform is to look at list of individual incidents… clicking on the bar or by performing a new search …").

Per claim 42 (New), Othmer discloses a user interface according to Claim 30, wherein the application issue data includes blocking issue data, quality issue data, and compatibility fix issue data (see at least col.11:35-55 "… incidents are broken down based on function names… parameter… unique key… grouped together …" and e.g. FIG._5, Number of incidents and related text).

Per claim 43 (New), Othmer discloses a user interface according to Claim 30, wherein the display of the application issue data includes the names of the applications associated with the ISV, a number of blocking issue data items associated with each application, a number of quality issue data items associated with each application, and a number of compatibility fix issue data items

associated with each application (see at least col.11:35-55 "… incidents are broken down based on function names… parameter… unique key… grouped together …" and e.g. FIG._5, Number of incidents and related text).

Per claim 44 (New), Othmer discloses a user interface according to Claim 30, wherein each application name is a hyperlink to an issue list comprising application issue data for the corresponding application, each number of the blocking issue data items is a hyperlink to an issue list comprising quality issue data for the corresponding application, and each number of the compatibility fix issue data items is a hyperlink to an issue list comprising compatibility fix issue data for the corresponding application (see at least col.5:40-55 "...URL application was displaying..." and col.10:40-50 "… access the same URL and perform … problem is reproducible…").

Per claim 45 (New), Othmer discloses a method comprising: gathering application issue data from a plurality of data sources (see at least col.5:40-55 "...URL application was displaying..." and col.6:40-50 "… for the users of server, such as a software developer, to be able to know how many 'root' problems/bugs/erro4rs… users like to know how many…", col.12:10-20 "… developer would often perform is to look at list of individual incidents… clicking on the bar or by performing a new search …");

aggregating application issue data such that application issues pertaining to the same application are grouped together (see at least col.11:35-55 "… incidents are broken down based on function names… parameter… unique key… grouped together …" and e.g. FIG._5, Number of incidents and related text); and

presenting the aggregated application issue data visually to the developer of the one or

more software applications by providing a user with selectable control for altering the order in

which the application issues are presented (see at least col.5:40-55 "...URL application was

displaying..." and col.6:40-50 "... for the users of server, such as a software developer, to be able to

know how many 'root' problems/bugs/erro4rs... users like to know how many...", col.12:10-20

"... developer would often perform is to look at list of individual incidents... clicking on the bar or

by performing a new search ...").

Othmer substantially disclosed the invention as claimed. However, Othmer was silent

regarding aggregating application issue data such that at least one application issue data attributed

to a particular ISV is accessible through a login protocol. Nevertheless, as evidenced by the teaching

of Perla, it was known to use a login protocol to authenticate user to allow accessing application

issue data (see at least paragraph [0068]). Therefore, it would have been obvious to one skilled in the

art at the time the invention was made to use a login protocol to authenticate user in order to

securely access the application issue data from the data server as once suggested by Perla (paragraph

[0072]).

Per claim 46 (New), Othmer discloses the method according to Claim 45, wherein gathering

application issue data from a plurality of data sources comprises gathering the application issue data

from a database storing at least one item of user crash report data and a database storing at least one

item of test report data (see at least col.5:40-55 "...URL application was displaying..." and col.6:40-50

"... for the users of server, such as a software developer, to be able to know how many 'root'

problems/bugs/erro4rs... users like to know how many...", col.12:10-20 "... developer would

often perform is to look at list of individual incidents… clicking on the bar or by performing a new search …").

Per claim 47 (New), Othmer discloses the method of Claim 45, wherein the application issue data includes blocking issue data, quality issue data, and compatibility fix issue data (col.12:10-20 "… developer would often perform is to look at list of individual incidents… clicking on the bar or by performing a new search …").

Per claim 48 (New), Othmer discloses a method comprising: gathering application issue data from a plurality of data sources (see at least col.5:40-55 "…URL application was displaying…" and col.6:40-50 "… for the users of server, such as a software developer, to be able to know how many 'root' problems/bugs/erro4rs… users like to know how many…", col.12:10-20 "… developer would often perform is to look at list of individual incidents… clicking on the bar or by performing a new search …");

aggregating application issue data such that application issues pertaining to the same application are grouped together; (see at least col.5:40-55 "…URL application was displaying…" and col.6:40-50 "… for the users of server, such as a software developer, to be able to know how many 'root' problems/bugs/erro4rs… users like to know how many…", col.12:10-20 "… developer would often perform is to look at list of individual incidents… clicking on the bar or by performing a new search …") and

presenting the aggregated application issue data visually to the developer of the one or more software applications by presenting a subset of the data in a visual page and presenting a user-selectable page control for accessing one or more pages of remaining data (see at least col.5:40-

55 "...URL application was displaying..." and col.6:40-50 "… for the users of server, such as a

software developer, to be able to know how many 'root' problems/bugs/erro4rs… users like to

know how many…").

Othmer substantially disclosed the invention as claimed. However, Othmer was silent

regarding aggregating application issue data such that at least one application issue data attributed

to a particular ISV is accessible through a login protocol. Nevertheless, as evidenced by the teaching

of Perla, it was known to use a login protocol to authenticate user to allow accessing application

issue data (see at least paragraph [0068]). Therefore, it would have been obvious to one skilled in the

art at the time the invention was made to use a login protocol to authenticate user in order to

securely access the application issue data from the data server as once suggested by Perla (paragraph

[0072]).

Per claim 49 (New), Othmer discloses 49 a computer-readable medium having stored

thereon computer-executable instructions for performing the method according to Claim 45 (see

claim 45 and e.g. FIG._1 and related text).

Per claim 50 (New), Othmer discloses the method of Claim 48, wherein the application issue

data includes blocking issue data, quality issue data, and compatibility fix issue data (see at least

col.5:40-55 "...URL application was displaying..." and col.6:40-50 "… for the users of server, such as

a software developer, to be able to know how many 'root' problems/bugs/erro4rs… users like to

know how many…".

Per claim 51 (New), Othmer discloses an apparatus comprising:

at least one processor for executing computer executable instructions for presenting

application issue data e.g. FIG._1 and related text);

means for aggregating application issue data such that application issues pertaining to the

same application are grouped together (see at least col.5:40-55 "...URL application was displaying..."

and col.6:40-50 "... for the users of server, such as a software developer, to be able to know how

many 'root' problems/bugs/erro4rs... users like to know how many...", col.12:10-20 "... developer

would often perform is to look at list of individual incidents... clicking on the bar or by performing

a new search ...");

means for gathering application issue data from a plurality of data sources (see at least

col.5:40-55 "...URL application was displaying..." and col.6:40-50 "... for the users of server, such as

a software developer, to be able to know how many 'root' problems/bugs/erro4rs... users like to

know how many...", col.12:10-20 "... developer would often perform is to look at list of individual

incidents... clicking on the bar or by performing a new search ..."); and

means for presenting the aggregated application issue data visually to the developer of

the one or more software applications by providing a user with selectable control for altering the

order in which the application issues are presented (see at least col.5:40-55 "...URL application was

displaying..." and col.6:40-50 "... for the users of server, such as a software developer, to be able to

know how many 'root' problems/bugs/erro4rs... users like to know how many...").

Othmer substantially disclosed the invention as claimed. However, Othmer was silent

regarding means for aggregating application issue data such that at least one application issue data

attributed to a particular ISV is accessible through a login protocol. Nevertheless, as evidenced by

the teaching of Perla, it was known to use a login protocol to authenticate user to allow accessing

application issue data (see at least paragraph [0068]). Therefore, it would have been obvious to one

skilled in the art at the time the invention was made to use a login protocol to authenticate user in

order to securely access the application issue data from the data server as once suggested by Perla

(paragraph [0072]).

Per claim 52 (New), Othmer discloses the apparatus of Claim 51, wherein the application

issue data includes blocking issue data, quality issue data, and compatibility fix issue data (see at least

col.5:40-55 "...URL application was displaying..." and col.6:40-50 "… for the users of server, such as

a software developer, to be able to know how many 'root' problems/bugs/erro4rs… users like to

know how many…").

Per claim 53 (New), Othmer discloses an apparatus comprising:

at least one processor for executing computer executable instructions for presenting

application issue data (see at least e.g. FIG._1 and related text);

means for aggregating application issue data such that application issues pertaining to the

same application are grouped together (see at least col.5:40-55 "...URL application was displaying..."

and col.6:40-50 "… for the users of server, such as a software developer, to be able to know how

many 'root' problems/bugs/erro4rs… users like to know how many…", col.12:10-20 "… developer

would often perform is to look at list of individual incidents… clicking on the bar or by performing

a new search …");

means for gathering application issue data from a plurality of data sources (col.12:10-20 "… developer would often perform is to look at list of individual incidents… clicking on the bar or by performing a new search …"); and

means for presenting the aggregated application issue data visually to the developer of the one or more software applications by presenting a subset of the data in a visual page and presenting a user-selectable page control for accessing one or more pages of remaining data (see at least col.5:40-55 "…URL application was displaying..." and col.6:40-50 "… for the users of server, such as a software developer, to be able to know how many 'root' problems/bugs/erro4rs… users like to know how many…").

Othmer substantially disclosed the invention as claimed. However, Othmer was silent regarding means for aggregating application issue data such that at least one application issue data attributed to a particular ISV is accessible through a login protocol. Nevertheless, as evidenced by the teaching of Perla, it was known to use a login protocol to authenticate user to allow accessing application issue data (see at least paragraph [0068]). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to use a login protocol to authenticate user in order to securely access the application issue data from the data server as once suggested by Perla (paragraph [0072]).

Per claim 54 (New), Othmer discloses 54 the apparatus of Claim 53, wherein the application issue data includes blocking issue data, quality issue data, and compatibility fix issue data (col.12:10-20 "… developer would often perform is to look at list of individual incidents… clicking on the bar or by performing a new search …").

Per claim 55 (New), Othmer discloses the method according to Claim 48, wherein gathering

application issue data from a plurality of data sources comprises gathering the application issue data

from a database storing at least one item of user crash report data and a database storing at least one

item of test report data e.g. see at least FIG._2, steps 174-176 and FIG._4, step 208 and related text).

Conclusion

13.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office

action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is

reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS

from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the

mailing date of this final action and the advisory action is not mailed until after the end of the

THREE-MONTH shortened statutory period, then the shortened statutory period will expire on

the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be

calculated from the mailing date of the advisory action. In no event, however, will the statutory

period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner

should be directed to ISAAC T. TECKLU whose telephone number is (571) 272-7957. The

examiner can normally be reached on M-TH 9:300A - 8:00P.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor,

Tuan Q. Dam can be reached on (571) 272-3695. The fax phone number for the organization

where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR system,

see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system,

contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like

assistance from a USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Isaac T Tecklu/   /Tuan Q. Dam/
Examiner, Art Unit 2192   Supervisory Patent Examiner, Art Unit 2192